IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO : 24243 of 2004**

Between:

K. Chinna Kondappa, S/o. Obulappa,
R/o. Gollapalli, B.K. Palli Revenue Village, Madanapalle,
Chittoor District.

**..... PETITIONER**

AND

1 The Sub-Collector, Madanapalle, Chittoor District.
2 The Mandal Revenue Officer, Madanapalle Revenue Mandal, Madanapalle, Chittoor District.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate Writ, order or direction declaring the action of the 2nd respondent herein in trying to dispossess the petitioner from the land admeasuring an extent of Ac.2.57 cents in S.No. 533/1C and Ac.2.26 cents in S.No. 533/2A situated in B.K. Palle Revenue Vilalge, Madanapalle, Chittoor District, pending consideration of the application, dated 16-4-2001 submitted by the petitioner for grant of patta before the 1st respondent, as arbitrary, illegal and unconstitutional and consequently direct the 1st respondent to pass appropriate orders on the application, dated 16-4-2001 submitted by the petitioner for grant of patta and to pass such other order or orders

**Counsel for the Petitioner:MR.MD.SALEEM**

**Counsel for the Respondent No.: GP FOR REVENUE**

**The Court at the stage of admission made the following :**

**ORDER:**

The present writ petition is filed questioning the action of second respondent in trying to dispossess the petitioner from the land covered by Sy. Nos.533/1C and 533/2A admeasuring Ac.2.57 and Ac.2.26 in B.K.Palle village, Madanapalli, Chittoor district and for a direction for consideration of the application of the petitioner dated 16-4-2001 for grant of patta.

Pursuant to notice the issued by this Court on 27-12-2004, learned Government Pleader for Revenue, produced the record before this Court and submitted that the Mandal Revenue Officer on consideration of the matter has cancelled the DKT Patta granted to the petitioner and resumed the subject land vide proceedings ROC No.A/1211/93 dated 25-9-1993. It is further stated that the subject land had already been alienated in favour of Andhra Pradesh State Road Transport Corporation Association, Madanapalli, and alienation proposals sent by the Mandal Revenue Officer vide proceedings ROC No.A/669/2001 dated
26-05-2003.

The record reveals that the patta granted in favour of the petitioner was cancelled by proceedings dated 25-9-1993 and the subject land has already been alienated in favour of APSRTC Association vide proceedings dated 26-5-2003. The petitioner has not challenged these proceedings. As long as the proceedings canceling the patta granted to the petitioner and the proceedings alienating the lands in favour of APSRTC are in force, no relief as prayed for by the petitioner can be granted.

Accordingly, the writ petition is dismissed. No costs.

_____ N.V.RAMANA, J

24TH JANUARY, 2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Sub-Collector, Madanapalle, Chittoor District.
2 The Mandal Revenue Officer, Madanapalle Revenue Mandal, Madanapalle, Chittoor District.

3.2CCs to Government Pleader for Revenue, High Court buildings, Hyderabad (OUT)

4.2CD copies

5.2CCs to

*Form-NIC-OGS/WP{**SPJS**}*